IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NORTH CAROLINA WESTERN DIVISION No. 5:16-HC-2284-D

KINJURM ALLEN, v. BRICK TRIPP,	Petitioner,)))))	ORDE
	Respondent.)	

On July 3, 2018, Magistrate Judge Jones issued a Memorandum and Recommendation ("M&R") [D.E. 23], and recommended that the court grant respondent's motion to dismiss [D.E. 13] and dismiss Kinjurm Allen's ("Allen") 28 U.S.C. § 2241 petition. No party filed objections to the M&R.

"The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge's report or specified proposed findings or recommendations to which objection is made." Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, "a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and Allen's petition. The court is satisfied that there is no clear error on the face of the record. Accordingly, the court adopts the conclusions in the M&R [D.E. 23]. The court GRANTS respondent's motion to dismiss [D.E.

13] and DISMISSES Allen's petition. The court DENIES a certificate of appealability. See 28 U.S.C. § 2253(c); Miller-El v. Cockrell, 537 U.S. 322, 336–38 (2003); Slack v. McDaniel, 529 U.S. 473, 483–84 (2000). The clerk shall close the case.

JAMES C. DEVER III

Chief United States District Judge